

44364



Shaping the Future of
Corporate Distribution

DEPARTMENT OF TRANSPORTATION

99 JAN -4 AM 10:35

DOCKET SECTION

Suite 600
66 Canal Center Plaza
Alexandria, VA 22314
Voice: 703 683-1300
Fax: 703 683-1217
<http://www.nptc.org>



January 4, 1999

Docket Clerk
U.S. DOT Dockets
400 Seventh Street, S.W.
Room PL-401
Washington, DC 20590-0001

Re: **BTS Docket No. BTS-98-4659 - 6**
Revision to Reporting Requirements for Motor Carriers of Property
Federal Register / Vol. 63, No. 212 / November 3, 1998

BACKGROUND

These comments are submitted on behalf of the members of the National Private Truck Council (NPTC), a national trade association representing manufacturers, processors, distributors and retailers, as well as construction, mining, and service companies that use their own corporate or "private" truck fleets to meet their inbound and outbound transportation requirements. In addition, NPTC's most recent member survey shows that over 50 percent of our members have "for-hire" operating authority, which also allows them to haul products for other companies.

According to the most recent Truck Inventory and Use Survey (TIUS 92) published by the Department of Commerce's Economics and Statistics Administration, private truck fleets include 3.8 million (approximately 75-percent) of the medium and heavy-duty trucks (i.e., over 10,000 pounds GVW) registered in the United States. Additionally, this survey revealed that private truck fleets traveled more than 63 billion miles annually, representing approximately 54-percent of all the U.S. miles traveled for medium and heavy-duty trucks.

SAFETY MISSION AND GUIDING PRINCIPLES

Protecting the safety of the motoring public as well as private fleet operators' employees on our nation's highways is of utmost importance to NPTC members. Our goal is zero accidents, injuries, and incidents. The safety of employees, customers, and the public is our top priority. Businesses that operate private fleets view safety measures as standards to ensure that their corporate safety culture is mirrored through the on-road safety performance their fleets.

NPTC is proud that a recently-published study (audited by officials from the Federal Highway Administration's (FHWA) Office of Motor Fleet operators) of 75,577 firms, over a five-year period, determined that private fleet operators had reportable accident rates nearly 20-percent lower than those of for-hire fleet operators.' We believe that this statistic helps to illustrate our members' commitment to safety.

NPTC POSITIONS REGARDING THIS NOTICE OF PROPOSED RULEMAKING

Instructions for the Data Items Should be Modified

NPTC believes that the instructions for the data items should not be carried over from the current reporting forms. Rather, the Bureau of Transportation (BTS) should develop and provide new instructions tailored to the proposed Forms M and QFR once they have been finalized.

Quarterly Reporting Should Continue Only if the Requirements are Kept Simple

NPTC believes that quarterly reporting should continue only if the reporting requirements are kept as simple as the proposed QFR Form that accompanies the notice of proposed rulemaking (pp. 59268-59269). We feel that the quarterly reporting requirements for Class I carriers, as illustrated in draft Form QFR,' are relatively easy to complete and supported by NPTC.

Confidentiality of Reported Information / Proposed Process for Exemption Requests

The majority of NPTC member companies that fall into either the Class I or Class II carrier categories consider the information that they report to BTS to be proprietary and consider its availability to their competitors potentially harmful to their companies. NPTC feels that its members should continue to have the option to petition BTS to keep what they consider to be confidential business information confidential.

BTS' proposal regarding release of reported data is acceptable to NPTC. Private carriers should have the option to petition BTS regarding a current year's report by the report's due date. The flexibility to make a petition either prior to submission of the report or with the report is appreciated. Instructions that explain how an applicable carrier should petition BTS to request confidentiality for a report should be explicitly outlined in the directions for report Form M and Form QFR.

Annual Reporting Burden and Associated Costs

NPTC feels that the reporting burden estimated by BTS for the current reporting requirements is much lower than the actual reporting burden private carriers will encounter in completing the current forms. In Table 1, we compare BTS' and NPTC's current estimates of the annual reporting burden:

¹ Leon M. Moses and Ian Savage. "The Effect of Firm Characteristics on Truck Accidents." *Accident Analysis and Prevention*. Vol. 26, No. 2. Elsevier Science Ltd., 1994. pp. 173-179.

CURRENT REPORTING REQUIREMENTS (ANNUAL HOURS/REPORT)

Carrier Type	BTS Estimate	NPTC Estimate
Class I	25	40
Class II	10	30

Both NPTC reporting estimates are a median of results obtained by surveying NPTC member companies that fall into either the Class I or Class II carrier categories and currently file reports to BTS.

After compiling our estimates, we noted a significant discrepancy in the actual amount of time spent on preparing the current reporting forms by private fleets that responded to our survey. NPTC believes that the discrepancy in these estimates may be caused by some private carriers having to extract their for-hire data from their internal data.

While NPTC feels that the proposed forms significantly reduce the current reporting burden, we encourage BTS to make every effort to test their reporting methods to ensure that the actual reporting burden of the proposed forms is accurately reflected in the agency's annual reporting burden estimates.

Proposed Methods to Reduce Reporting Burden

NPTC encourages BTS to reduce the reporting burden to private carriers by any means possible. Automated electronic data collection techniques (such as on-line reporting) should be employed by BTS whenever possible to offer private fleets numerous options to reduce their already substantial paperwork burden.

Ways to Reduce the Burden on Industry Segments

NPTC applauds BTS for not requiring Class III carriers to file reports. The majority of private fleets that have for-hire authority fall into the Class III category. Due to the limited revenue generated by their for-hire components, it is our opinion that these carriers should continue to be exempt from BTS' reporting requirements. We feel that the <\$3 million reporting threshold is equitable and look to BTS to keep this threshold intact in the future.

Methods to Enhance the Quality, Utility, and Clarity of Reported Information

NPTC believes that BTS should continue to allow all carriers to self-certify the reports that they submit to the agency. Operating information filed by private carriers would conform with the accounting standards and, thus, be highly accurate.

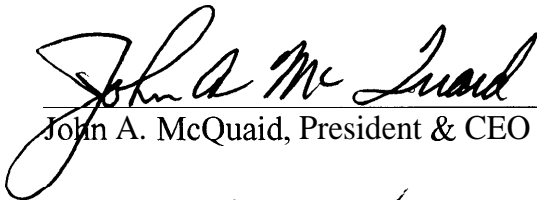
Generally, the source of this information is from detailed operating statements that are part of the parent company record set. These operating statements are most often prepared by professional accountants and subject to scrutiny by many individuals and organizations.

Concluding Remarks

In conclusion, NPTC supports BTS' plan to simplify the reporting requirements for Class I and Class II carriers. We applaud BTS for attempting to minimize the reporting requirements for Class I and Class II carriers, but we suggest that the agency take heed to the following recommendations:

- 1.) Prepare new instructions for any new forms that are finalized;
- 2.) Keep the quarterly reporting requirements minimal;
- 3.) Give private carriers the option to have their reported information kept confidential;
- 4.) Keep the annual reporting burden minimal and provide accurate burden estimates;
- 5.) Utilize automated electronic data collection techniques whenever possible to minimize the paperwork burden;
- 6.) Allow carriers to continue self-certifying their reporting information.

NPTC appreciates the opportunity to comment on this NPRM.



John A. McQuaid, President & CEO



Matt Mlynarczyk, Director, Government Relations